

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



November 5, 2003

Regulation Packages #0602-12  
and #0703-17

CDSS MANUAL LETTER NO. EAS-03-08

TO: HOLDERS OF THE EAS MANUAL

**Regulations Package #0602-12****Effective 7/29/03****Sections 40-181, 42-710, 42-711, 42-721, 44-314, 80-301, and 82-812**

This manual letter has been posted on the Office of Regulations Development website at [http://www.dss.cahwnet.gov/ord/Eligibilit\\_617.htm](http://www.dss.cahwnet.gov/ord/Eligibilit_617.htm).

Regulations package ORD #0602-12 was adopted as an emergency filing effective August 1, 2002 and readopted effective January 28, 2003. The deadline for completion of the emergency process for this package was July 28, 2003. Due to policy issues raised late in the process, there was not enough time to solve the issues and complete the process in a timely manner. Therefore, for administrative ease of implementation, the Department opted to let the original emergency regulations lapse and the regulations reverted to the pre-August 1, 2002 text. Then the Department adopted a new emergency regulations package ORD #0703-17 to be effective on July 29, 2003, the day after expiration of the ORD #0602-12. The attached regulations reflect reversion to the pre-August 1, 2002 text and the addition of the new regulations effective July 29, 2003.

**Regulations Package #0703-17****Effective 7/29/03****Sections 40-181, 42-710, 42-711, 42-721, 44-314, 80-301, and 82-812**

Assembly Bill 429 (Chapter 111, Statutes of 2001) made changes to Welfare and Institutions Code Section 11203 as it pertains to the temporary absence of CalWORKs Assistance Unit (AU) members. The revisions permit the parents of children who have been removed from the home and receiving out-of-home care, to continue to receive CalWORKs funded services, such as substance abuse and mental health services, if the county determines such services are necessary for family reunification. These regulations insure services, necessary for family reunification, will be available to eligible parents.

These regulations were adopted on an emergency basis effective July 29, 2003 and will be considered at the Department's public hearing held on October 15, 2003.

**FILING INSTRUCTIONS**

**All new revisions are indicated by a vertical line in the left margin. Revisions shown in graphic screen will continue to be shown in that manner until new revisions are done to those pages.** The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing EAS changes was EAS-03-07.

Page(s)

107.1  
111  
118  
225.1 through 228  
233  
234.1 through 239.2  
270  
275  
279  
476 through 478.1  
854 through 859  
911  
911.1 through 911.3

Replace(s)

Page 107.1  
Page 111  
Page 118  
Pages 225.1 through 228  
Page 233  
Pages 234.1 through 239.2  
Page 270  
Page 275  
Page 279  
Pages 476 through 478.1  
Pages 854 through 859  
Page 911  
Pages 911.1 through 911.3

Attachments

RG

|               |   |               |
|---------------|---|---------------|
| <b>40-181</b> | <b>CONTINUING ACTIVITIES AND DETERMINATION OF ELIGIBILITY</b> | <b>40-181</b> |
|---------------|---|---------------|

(Continued)

- (3) All applicants for, and recipients of, assistance shall be notified in writing at the time of application, and at each redetermination that information available through IEVS will be requested, used, and may be verified through collateral contact when discrepancies are found by the CWD, and that such information may affect his or her eligibility and level of benefits.
  - (4) In reunification cases, as defined in Section 80-301(r)(4), the parents shall be subject to a six-month CalWORKs eligibility redetermination based on the criteria in Section 40-181.2. The six-month period shall coordinate with the court's review of the reunification plan.
  - (5) An eligibility redetermination shall be required to restore cash aid to the CalWORKs case when a family is reunified.
- (f) Aid shall not be discontinued nor a warrant cancelled without compliance with Section 22-022.
- (g) Aid shall not be discontinued due solely to circumstances beyond the control of the recipient which prevents reporting changes within five calendar days or the prompt return of the CA 2 or CA 7 eligibility redetermination forms.

**This page is intentionally left blank.**

|               |   |               |
|---------------|---|---------------|
| <b>40-181</b> | <b>CONTINUING ACTIVITIES AND DETERMINATION OF ELIGIBILITY</b> | <b>40-181</b> |
|---------------|---|---------------|

(Continued)

- .215 If the recipient is receiving or is potentially eligible to receive unconditionally available income, including but not limited to Old Age, Survivors, and Disability Insurance (OASDI) or benefits available to veterans of military service, it shall not be necessary to initiate a verification or referral procedure unless circumstances indicate a change in the recipient's eligibility for the benefit.
- .216 If, during a redetermination, the county determines that a recipient is no longer exempt from cooperation requirements, the county shall enforce those requirements.

---

**HANDBOOK BEGINS HERE**

---

- a. See Section 82-510, Cooperation Requirements

---

**HANDBOOK ENDS HERE**

---

- .22 AFDC recipients other than AFDC-FC shall, in addition to the annual completion of the CA 2, complete and return the CA 7 to the County Welfare Department (CWD) by the 5th calendar day of each report month but not before the first calendar day of that month. CA 7s not received by the 11th of the month shall be considered late.
  - .221 Late CA 7s
    - a. When the CA 7 is not received by the eleventh day of the report month or the CA 7 is received but is not complete in accordance with the completeness criteria specified in Section 40-181.241, the CWD shall send the appropriate discontinuance notice.
    - b. When a CA 7 has not been received at the CWD after the notice of discontinuance has been sent, the CWD shall attempt to make a personal contact with the recipient either by telephone or in a face-to-face meeting. During the personal contact the CWD shall remind the recipient that a complete CA 7 must be received by the CWD no later than the first working day of the payment month.

|               |   |               |
|---------------|---|---------------|
| <b>40-181</b> | <b>CONTINUING ACTIVITIES AND DETERMINATION OF ELIGIBILITY</b> | <b>40-181</b> |
|               | (Continued)   |               |

- (1) When the recipient cannot be personally contacted, a written reminder notice, which shall include language specified by SDSS, shall be mailed no later than five days prior to the last calendar day of the report month. Under no circumstances shall the reminder notice be mailed in the same envelope as the discontinuance notice required in Section 40-181.221(a).
  - c. The CWD shall document in the case file how and when the contact was attempted or made.
  - d. If the recipient contacts the welfare office on the first working day of the payment month to report nonreceipt of his or her warrant, the CWD shall inform the recipient of a pending discontinuance due to nonreceipt of a complete CA 7 and shall inform him/her that the discontinuance will be rescinded if a complete CA 7 is received by the end of that day.
  - e. The CWD shall not take action to notify the Child Support Enforcement Unit of the District Attorney's Office of any affected employment or training program of a CA 7 related discontinuance until after the first working day of the payment month.
- .222 Processing Late CA 7s
- a. If a complete CA 7 is received after the eleventh but on or before the first working day of the payment month, the CWD shall:
    - (1) Rescind the discontinuance action; and
    - (2) Determine eligibility based on the information reported on the CA 7; and
    - (3) Repealed by Manual Letter No. EAS-98-03, effective 7/1/98.
  - b. Upon the request of the recipient, the CWD shall determine whether the recipient had good cause for failure to submit a timely report of earnings in accordance with Section 40-181.23
- .223 In reunification cases, as defined in Section 80-301(r)(4), the parents are not required to submit a monthly eligibility report as long as the reunification plan remains in place.

|               |   |               |
|---------------|---|---------------|
| <b>40-181</b> | <b>CONTINUING ACTIVITIES AND DETERMINATION OF ELIGIBILITY</b> | <b>40-181</b> |
|---------------|---|---------------|

(Continued)

- .51 A recipient who leaves the state, county, or country is responsible for informing the county paying aid immediately of his/her departure and of changes in his/her living plan, income, and needs. If absent from the state, he/she is also required to inform the county of his/her residence intent. If in the state but absent from the county paying aid, he/she is required to give information from which the county can determine if an intercounty transfer is in order (see Section 40-187). If the recipient leaves the state, the county shall immediately determine his/her residence intent and take appropriate action as provided in Chapter 42-400.
- .52 Except for children receiving Kin-GAP, when a periodic determination of eligibility is due during a recipient's temporary absence from the state or county, the Statement of Facts (CA 2) shall be sent to a welfare agency in the locality. Such agency shall be requested to interview the recipient, secure the signed CA 2 and return it with a report on the recipient's plan regarding his/her living arrangements, current needs and income, if he/she is out of state.
- .53 If it is not possible to secure the signed form and report through the agency within a reasonable time, direct request shall be made to the recipient to submit a completed form with a statement of his/her living arrangements, income and needs, and his/her intent as to residence out of state.
- .54 If a periodic determination of eligibility is due within the transfer period (see Section 40-185) the county currently paying aid requests the county to which the case is being transferred to make the periodic determination.

NOTE: Authority cited: Sections 10553, 10554, 10604, 11203, 11265.1, 11369, and 18904, Welfare and Institutions Code. Reference: 42 U.S.C. 616(b) and (f); 45 CFR 233.28 and 233.29(c); and 45 CFR 235.112(b); 7 CFR 273.16(b); Sections 10063, 10553, 10554, 10604, 11008, 11203, 11253.5, 11254, 11265.8, 11280, 11450.12, 11451.5, 11486, and 11495.1, Welfare and Institutions Code; and Section 301(a)(1)(A) and (B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193); California's Temporary Assistance for Needy Families State Plan dated October 9, 1996 and effective November 26, 1996.

|               |                                   |               |
|---------------|-----------------------------------|---------------|
| <b>40-183</b> | <b>INTRAPROGRAM STATUS CHANGE</b> | <b>40-183</b> |
|---------------|-----------------------------------|---------------|

Each assistance program has the following integral parts:

- (a) cash grants for maintenance with medical assistance, and
- (b) medical assistance for the medically needy.

.1 Intraprogram Status Change -- Defined

An intraprogram status change means change in status from one part of the same program to the other, i.e., from cash grant to medically needy and vice versa within the same program and changes between CalWORKs and AFDC-FC, or AFDC-FC and Kin-GAP, or CalWORKs and Kin-GAP. (See Sections 40-183.5 and 44-317.6.)

.2 Using Same Case Number and Record

It is recommended that the same case number and the same case record be utilized for aid and/or medical assistance certifications under either part of the program. The case is then designated by program as cash grant or medically needy, according to which ever is appropriate at the time.

.3 Circumstances in Which Status Change is Appropriate

An intraprogram status change is appropriate under the following circumstances:

- .31 The recipient becomes ineligible for a continuing cash grant but is eligible for certification for medical assistance as a medically needy person within the same program or
- .32 Circumstances of the person who has been certified as medically needy change so that upon application for AFDC or request for restoration as specified in Section 40-121 he/she is eligible for cash assistance for his/her maintenance needs within the same program.

.4 Change From a Cash Grant Recipient to Medically Needy

When the recipient becomes ineligible to a continuing cash grant but remains eligible for medical assistance as a medically needy person, the cash grant shall be discontinued. The discontinuance notice shall indicate that only the cash grant is terminated and that the recipient continues eligible as medically needy. Any necessary change in his certification for medical assistance to reflect his change in status from recipient to a medically needy person, shall be made.



|               |   |               |
|---------------|---|---------------|
| <b>42-710</b> | <b>18- AND 24-MONTH TIME LIMITS (Continued)</b> | <b>42-710</b> |
|---------------|---|---------------|

- .31 If an individual has received aid for a cumulative period of more than 18 or 24 months, as specified in Section 42-710.1 or .2, as applicable, and returns to aid after a break in aid of at least one month, the CWD shall determine whether to require the individual to participate in community service in accordance with Section 42-711.9 or in welfare-to-work activities described in Section 42-716.
- .4 No month in which aid has been received prior to January 1, 1998 shall be taken into consideration in computing the required 18- or 24-month time limits.
- .5 For purposes of these time limits, "no job is currently available" means that the recipient has taken and continues to take all the steps to apply for appropriate positions and has not refused an offer of employment without good cause.
- .6 A month of receipt of aid shall not count toward the 18- or 24-month time limit period when it is a month in which the individual is:
  - .61 Not required to participate in welfare-to-work activities because he/she is exempt from participation, in accordance with Section 42-712 et seq., and the condition is expected to last for at least 30 days,
  - .62 Required to participate in, participating in, or exempt from the Cal-Learn Program, in accordance with Section 42-712.11.
  - .63 Sanctioned and removed from the assistance unit in accordance with Section 42-721.4, or,
  - .64 Participating in an approved SIP and participation is interrupted for good cause. (See Section 42-711.546.)
  - .65 Identified as a past or present victim of domestic abuse and the county has waived the time limit as described in Section 42-713.221.
  - .66 A reunification parent pursuant to the temporary absence/family reunification provisions of Section 82-812.68, whose time limit period has not started pursuant to Sections 42-710.11 and .12, and for whom the CWD has elected to utilize a reunification plan, as defined in Section 80-301(r)(5), in lieu of the assessment and welfare-to-work plan process as specified in Sections 42-711.558 and 61.

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: Sections 10532(c)(2), 11203, 11320.1(c) and (d), 11320.3(a) and (b), 11322.6(f), 11322.9, 11325.21, 11325.23(c), 11325.4, 11327.5(c), 11454, 11454.5(a), 11495.1, and 16501.1(d) and (f)(11), Welfare and Institutions Code.

**This page is intentionally left blank.**

|               |   |               |
|---------------|---|---------------|
| <b>42-711</b> | <b>WELFARE-TO-WORK PARTICIPATION REQUIREMENTS</b> | <b>42-711</b> |
|---------------|---|---------------|

.1 Program Information for Applicants

.11 At the time an individual applies for aid or at the time a recipient's eligibility for aid is determined, the CWD shall do the following:

.111 Determine whether the individual is required to participate in welfare-to-work activities.

.112 Provide the individual, in writing and orally as necessary, with information including:

(a) A general description of education, employment, training opportunities, and the supportive services available, including transitional benefits.

(b) A description of the exemptions from required welfare-to-work participation provided in Section 42-712 and the consequences of a failure or refusal to participate in program components if not exempt, pursuant to Section 42-721.3.

.12 At the time an individual is required to participate in welfare-to-work activities, he or she will receive a written preliminary determination, if applicable, that he or she is a member of a targeted group for purposes of any federal or state employer tax credit that may be operative.

.2 Cal-Learn Exclusion

.21 The provisions of Section 42-711 shall not apply to individuals who are required to participate in, participating in, or exempt from, the Cal-Learn Program, as described in Sections 42-762 through 42-769.

.3 Non-Cal-Learn 19-Year-Old Custodial Parents

.31 A 19-year-old custodial parent who has no high school diploma or equivalent and is not participating in Cal-Learn is required to participate in welfare-to-work activities only to earn a high school diploma or its equivalent.

.311 The CWD may determine that participation in education activities for the purpose of earning a high school diploma or equivalent is inappropriate for a 19-year-old custodial parent:

(a) On the basis of an evaluation, pursuant to Section 42-711.58, which indicates that, because of a learning disability or medical problem, the individual is unable to successfully complete or benefit from these educational activities; or

|        |  |        |
|--------|--|--------|
| 42-711 | <b>WELFARE-TO-WORK PARTICIPATION REQUIREMENTS</b><br>(Continued) | 42-711 |
|--------|--|--------|

- (b) If at appraisal, the parent is already in an educational or vocational program that is approvable as a SIP in accordance with Section 42-711.541.
- .32 A 19-year-old custodial parent who has a high school diploma or equivalent is required to participate in welfare-to-work activities and is subject to all program requirements.
- .4 Hours of Participation
  - .41 Adult in One-Parent Assistance Unit
    - .411 Unless exempt from participation, an adult recipient in a one-parent assistance unit shall participate each month in welfare-to-work activities for a minimum average per week of 32 hours.
    - .412 In no event shall the adult recipient participate in welfare-to-work activities less than the hours of participation required under federal law for the entire time period on aid, unless the individual is an exempt volunteer. (See Section 42-714.2.)
  - .42 Adult(s) in Two-Parent Assistance Unit
    - .421 Unless exempt from participation, an adult recipient in a two-parent assistance unit whose basis for aid is unemployment shall participate each month for an average of at least 35 hours per week in welfare-to-work activities that will meet the hours of participation required under federal law.
      - (a) However, both parents in a two-parent assistance unit may contribute toward the 35-hour requirement, if at least one parent meets the federal work requirement of a minimum average of 20 hours per week.
    - .422 To be eligible for federally-funded CalWORKs child care, both parents shall participate to meet the family's minimum participation requirement of an average of at least 55 hours per week in welfare-to-work activities.
      - (a) The 55-hour requirement does not apply to the family if an adult in the family is disabled, caring for a severely disabled child, or if nonfederal funds are used for child care.

|               |   |               |
|---------------|---|---------------|
| <b>42-711</b> | <b>WELFARE-TO-WORK PARTICIPATION REQUIREMENTS</b> | <b>42-711</b> |
|               | (Continued)                                       |               |

.5 Assignment of Recipients to Welfare-to-Work Activities

- .51 After aid has been granted, recipients who are not exempt in accordance with Section 42-712, shall participate in welfare-to-work activities in the following sequence.

---

**HANDBOOK BEGINS HERE**

---

- .511 Division 21, which includes provisions regarding nondiscrimination and the communication needs of limited English-proficient clients, applies to welfare-to-work activities and services.

---

**HANDBOOK ENDS HERE**

---

- .512 A county shall provide a sanctioned individual with welfare-to-work activities and services, if the individual is considered a reunification parent pursuant to the temporary absence/family reunification provisions of Section 82-812.68, and the county child welfare services agency determines that such services are necessary for family reunification.

.52 Appraisal

- .521 Recipients are required to participate in the appraisal specified in Section 42-711.522. At the option of the CWD, applicants may voluntarily participate.
- .522 Prior to or during the appraisal, the CWD shall inform the individual in writing of the following:
- (a) The requirement to participate in available welfare-to-work activities and a general description of the time limits in Section 42-710.

**This page is intentionally left blank.**

|               |   |               |
|---------------|---|---------------|
| <b>42-711</b> | <b>WELFARE-TO-WORK PARTICIPATION REQUIREMENTS</b> | <b>42-711</b> |
|---------------|---|---------------|

(Continued)

- .544 If participation in a SIP, as determined by the number of hours required for classroom, laboratory, or internship activities, is not at least 32 hours, the CWD shall require concurrent participation in work activities, pursuant to Sections 42-716.111(a) through (j) inclusive and in accordance with Section 42-711.5, to reach the 32-hour requirement.
- .545 Participation in the self-initiated education or vocational training program must be reflected in the required welfare-to-work plan.
- (a) The welfare-to-work plan shall provide that whenever an individual ceases to participate in, refuses to attend regularly, or does not maintain satisfactory progress in the SIP, the individual shall participate in the welfare-to-work activities in accordance with Section 42-711.5.
- .546 Any person whose previously approved SIP is interrupted for reasons that meet the good cause criteria in Section 42-713.2 may resume participation in the same program if the participant maintained good standing in the program while participating and the SIP continues to meet the approval criteria.
- (a) The CWD shall adjust the completion date of the program, accounting for the time of absence to allow the participant a cumulative time frame of 18 or 24 months as specified in Section 42-710.
- .547 Any recipient may continue until the beginning of the next educational semester or quarter break, his or her educational program that does not meet the criteria of Section 42-711.541, if:
- (a) He or she is enrolled, as defined in Section 42-711.549, as of the earlier of:
- (1) The date he or she is appraised, or
- (2) The date he or she would have been appraised if he or she had not failed, without good cause, to appear for the appraisal appointment:

|        |  |        |
|--------|--|--------|
| 42-711 | WELFARE-TO-WORK PARTICIPATION REQUIREMENTS (Continued) | 42-711 |
|--------|--|--------|

(b) He or she is making satisfactory progress in, the educational program;

(c) He or she continues to make satisfactory progress in the program.

.548 At the time the educational break occurs as provided in Section 42-711.547, the individual is required to participate in welfare-to-work activities pursuant to Section 42-711.51.

(a) The time spent in the educational program will count toward the time limits specified in Section 42-710.

(b) A recipient, described under Section 42-711.547, who is not expected to complete the program by the next break, may continue his or her education under the time frames in Section 42-710, provided:

(1) He or she transfers at the end of the current quarter or semester to a program that qualifies under Section 42-711.541;

(2) The CWD determines that participation is likely to lead to self-supporting employment of the recipient; and

(3) The welfare-to-work plan reflects that determination.

.549 For purposes of Sections 42-711.541 and .547, enrolled means that an individual has applied for and been accepted into the degree or certificate program, and continues to meet or fulfill all conditions, imposed by the institution offering the program, to maintain current enrollment status.

.55 Assessment

.551 Participants, except those excluded as provided in Sections 42-711.31, 42-711.557, and 42-711.558 and Section 42-719.111, shall be referred to assessment, if:

(a) They do not obtain unsubsidized employment with sufficient hours to meet the minimum hours of participation required under Section 42-711.4;

(b) The CWD determines that participation in job search will not be required as the first activity because it would not be beneficial, or;

(c) The CWD decides to shorten job search because it is not likely to lead to employment.



|               |   |               |
|---------------|---|---------------|
| <b>42-711</b> | <b>WELFARE-TO-WORK PARTICIPATION REQUIREMENTS</b> | <b>42-711</b> |
|---------------|---|---------------|

(Continued)

.555 The CWD may contract with outside parties, including local educational agencies and service delivery areas, to provide the assessment.

.556 If the participant disagrees with the results of the assessment, the matter shall be referred by the CWD for an independent assessment by an impartial third party.

(a) The results of this assessment, which shall be binding upon the county and the participant, shall be used to develop the appropriate plan for the participant.

(1) No state hearing shall be granted regarding an assessment used to develop a welfare-to-work plan until an independent third-party assessment has been performed.

(b) No third party assessment shall be made by a party having any financial or other interest in the result of the assessment. The party making the assessment must be selected by the county according to an unbiased procedure.

.557 An assessment, described in Section 42-711.55, shall not be required to develop a welfare-to-work plan for participants in approved SIPs unless the CWD determines that an assessment is necessary to assign the participant to concurrent activities to meet the minimum 32-participation-hours per week, as specified in Section 42-711.544.

.558 An assessment, as described in Section 42-711.55, shall not be required for those welfare-to-work activities and services that are only provided as a component of a reunification plan as defined in Section 80-301(r)(5), subject to the temporary absence/family reunification provisions of Section 82-812.68.

(a) An assessment and a welfare-to-work plan as described in Sections 42-711.55 and .6 respectively, are necessary for any welfare-to-work activities and services that are provided separate and beyond those welfare-to-work activities and services that are specified in a reunification plan.

.56 Mental Health Assessment

If there is a concern that a mental disability exists that will impair the ability of a recipient to obtain employment, he or she shall be referred to the county mental health department.

|               |   |               |
|---------------|---|---------------|
| <b>42-711</b> | <b>WELFARE-TO-WORK PARTICIPATION REQUIREMENTS</b> | <b>42-711</b> |
|---------------|---|---------------|

(Continued)

---

---

**HANDBOOK BEGINS HERE**

---

- .561 Subject to appropriations in the Budget Act, the county mental health department shall evaluate the recipient and determine any treatment needs.
- .562 The evaluation shall include:
- (a) The extent to which the individual is capable of employment at the present time and under what working and treatment conditions the individual is capable of employment.
  - (b) Prior diagnoses, assessments, or evaluations that the recipient provides.
- .563 Each CWD shall develop individual welfare-to-work plans for participants with mental or emotional disorders based on the evaluation conducted by the county mental health department.
- (a) The recipient's welfare-to-work plan shall include appropriate employment accommodations or restrictions, supportive services, and treatment requirements. (See Section 42-716.5, mental health treatment services.)
  - (b) Any prior diagnosis, evaluation, or assessment provided by the recipient shall be considered in the development of his or her welfare-to-work plan.

---

**HANDBOOK ENDS HERE**

---

.57 Substance Abuse Assessment

If there is a concern that a substance abuse problem exists that will impair the ability of a recipient to obtain or retain employment, he or she shall be referred to the county alcohol and drug program for an evaluation and determination of any treatment necessary for the participant's transition from welfare to work. If the CWD determines that the county alcohol and drug program is unable to provide the needed services, the county department may contract directly with a nonprofit state-licensed narcotic treatment program, residential facility, or certified nonresidential substance abuse program to obtain substance abuse services for a participant.

|               |   |               |
|---------------|---|---------------|
| <b>42-711</b> | <b>WELFARE-TO-WORK PARTICIPATION REQUIREMENTS</b> | <b>42-711</b> |
|---------------|---|---------------|

(Continued)

.571 If a participant is determined to have a substance abuse problem, based on an evaluation by the county alcohol and drug program or a state-licensed or certified nonprofit agency, the case manager shall develop the participant's welfare-to-work plan based on the results of that evaluation. In such a case, the participant's welfare-to-work plan may include appropriate treatment requirements, including assignment to a substance abuse program.

.58 Evaluation

A participant with a suspected learning or medical problem, as determined by information received during appraisal or assessment or by lack of satisfactory progress in an assigned activity component, shall be referred to an evaluation. This evaluation shall be performed by a professional whose training qualifies them to determine whether the participant is unable to successfully complete or benefit from a current or proposed activity assignment. As part of the evaluation, the CWD may require the participant to undergo the appropriate examinations to obtain information regarding the participant's learning and physical abilities.

.581 Based upon the results of the evaluation, the CWD may refer the participant, as appropriate, to any of the following:

- (a) Any of the welfare-to-work activities described in Section 42-716.111 including referrals to the participant's previous activities.
- (b) Existing special programs that meet specific needs of the participant.
- (c) Job search services if the CWD determines the participant has the skills needed to find a job in the local labor market.
- (d) Assessment or reappraisal in accordance with Sections 42-711.55 and .7, respectively.
- (e) Rehabilitation assessment and subsequent training.

.582 The participant shall be involved in the decisions made during the evaluation and will have the same right to appeal through the state hearing process, specified in Section 42-721.5, as other program participants.

|               |   |               |
|---------------|---|---------------|
| <b>42-711</b> | <b>WELFARE-TO-WORK PARTICIPATION REQUIREMENTS</b> | <b>42-711</b> |
|---------------|---|---------------|

(Continued)

.6 Welfare-to-Work Plan

- .61 After assessment, or a determination by the county child welfare services agency that CalWORKs services are necessary for family reunification, any recipient of aid or reunification parent pursuant to Section 82-812.68 who is required or who volunteers to participate in welfare-to-work activities shall enter into a written welfare-to-work plan with the CWD as soon as administratively feasible. However, the county may elect to utilize a reunification plan as defined in Section 80-301(r)(5) in lieu of the welfare-to-work plan when all of an individual's welfare-to-work activities and services are provided as a component of a reunification plan under the temporary absence/family reunification provisions of Section 82-812.68.
- .611 The plan shall include the activities and services that will move the participant into employment and toward self-sufficiency.
- .612 A copy of the complete, signed plan shall be provided to the participant.
- .62 A participant shall take part in one or more welfare-to-work activities, as defined in Section 42-716, for the required minimum hours provided in the welfare-to-work plan until he or she has reached the 18- or 24-month time limit.
- .63 The plan shall be written in clear and understandable language and have a simple, easy-to-read format.
- .631 The plan shall contain at least, but is not limited to, the information provided to the individual pursuant to Sections 42-711.522(b), (c)(1) and (2), and (d)(2).
- .632 The plan shall specify, and shall be amended to reflect changes in, the participant's welfare-to-work activities, a description of needed supportive services to be provided, and specific requirements for successful completion of assigned activities including required hours of participation.
- (a) The plan shall also address school attendance of all children in the assistance unit for whom school attendance is compulsory, as specified in Section 40-105.5, and identify any participation required of the parent by the school to ensure the child's attendance. Such hours by the parent shall count toward the required hours of participation as defined in Section 42-711.4.
- .633 Participation in activities assigned under the welfare-to-work plan may be sequential or concurrent. The CWD may require concurrent participation in the assigned activities if it is appropriate to the participant's abilities, consistent with the participant's welfare-to-work plan, and the activities can be concurrently scheduled.

|               |   |               |
|---------------|---|---------------|
| <b>42-711</b> | <b>WELFARE-TO-WORK PARTICIPATION REQUIREMENTS</b> | <b>42-711</b> |
|---------------|---|---------------|

(Continued)

- .634 If the CWD determines it to be appropriate and necessary for the removal of the participant's barriers to employment, an individual who lacks basic literacy or mathematics skills, a high school diploma or general educational development certificate, or English language skills, shall be assigned to participate in adult basic education as specified in Section 42-716.111(k).
- .635 The participant shall maintain satisfactory progress in the activities to which the participant is assigned, and the CWD shall provide the necessary supportive services as set forth in the plan.
- .636 The CWD shall allow the participant three (3) working days after the completion of the welfare-to-work plan or subsequent amendments to the plan in which to evaluate, and request changes to, the terms of the plan.
- .637 The participant has 30 days from the beginning of the initial welfare-to-work activity in which to request a change or reassignment to another activity or component of the activity.
  - (a) The CWD shall grant the participant's request for reassignment if another assignment is available and consistent with the individual's welfare-to-work plan and the CWD determines the other activity will readily lead to employment.
  - (b) This grace period will be available only once to each participant.
- .638 If an activity to be provided under the welfare-to-work plan is not immediately available to the participant, he or she shall be assigned to job search and/or job readiness activities until the education or training activity designated in the plan is available.
  - (a) Job search activities are subject to the limits described in Section 42-711.53.

---

---

**HANDBOOK BEGINS HERE**

- (b) The number of weeks during which an individual's participation in job search and job readiness activities will count toward meeting the federal work participation rates is limited by federal law. See Section 42-714.3(f).

---

---

**HANDBOOK ENDS HERE**

|        |  |        |
|--------|--|--------|
| 42-711 | <b>WELFARE-TO-WORK PARTICIPATION REQUIREMENTS</b><br>(Continued) | 42-711 |
|--------|--|--------|

.712 If extenuating circumstances do not exist, and until the CWD reverses this determination or the participant reaches the 18- or 24-month time limit, the participant is required to participate for the required minimum hours in activities that are limited to the following:

- (a) Unsubsidized employment.
- (b) Work experience as defined in Section 42-701.2(w)(1).
- (c) Self-employment.
- (d) Job skills training directly related to employment.
- (e) Mental health, substance abuse, and/or domestic abuse services in accordance with Sections 42-716.5, 42-716.6, and 42-716.111(q), respectively.

.8 Satisfactory Participation

.81 The criteria for satisfactory participation in an assigned education or training activity include regular attendance and satisfactory progress. A participant who fails or refuses to comply with program requirements for participation in the activities assigned pursuant to Section 42-711, and whose failure to make satisfactory progress is not due to a learning or medical problem, shall be subject to compliance and sanction requirements in accordance with Sections 42-721.2 and .4, respectively, unless the participant is exempt from the participation and compliance requirements pursuant to Section 42-721.13.

.811 The CWD or the service provider shall inform the participant of the standards for meeting the regular attendance and satisfactory progress requirements for the program to which they are assigned.

.9 Community Service After Time Limits

.91 The participant shall remain eligible for aid only if he or she works in unsubsidized employment and/or participates in unpaid community service, grant-based OJT community service, WtW Grant program community service, and/or WtW Grant program work experience, and activities required under Sections 42-711.93, .94, and .96, to meet the required minimum hours in accordance with Section 42-711.4 if:

|               |   |               |
|---------------|---|---------------|
| <b>42-711</b> | <b>WELFARE-TO-WORK PARTICIPATION REQUIREMENTS</b> | <b>42-711</b> |
|---------------|---|---------------|

(Continued)

- .911 The participant has reached the 18-month time limit (and exhausted any extension granted) or the 24-month time limit, as applicable;
  - .912 The participant has not found unsubsidized employment sufficient to meet the required minimum hours of participation; and
  - .913 The CWD has certified that no job is currently available for the participant, in accordance with Section 42-710.5.
- .92 For participants who have reached the 18- or 24-month time limits, the CWD shall provide community service activities and provide supportive services as described in Section 42-716.4. The changes to the activities and supportive services shall be reflected in an amended welfare-to-work plan.
- .921 A participant may take part in community service activities until he or she has received aid for a total of 60 months.
- .93 Participants whose assistance units include food stamp recipients shall participate in unpaid community service activities for the number of hours each month that is the lesser of the two following equations:
- .931 The number of hours required by Section 42-711.4, less the number of hours spent in unsubsidized employment, grant-based OJT community service, WtW Grant program paid community service, and/or WtW Grant program paid work experience; or,
  - .932 The number of hours, determined collectively for the assistance unit, equal to the CalWORKs assistance unit's grant plus the assistance unit's portion of the food stamp allotment divided by the higher of the state or federal minimum wage. If all or a portion of the CalWORKs assistance unit's grant has been diverted to an employer pursuant to Section 42-701.2(g)(2) and Section 42-716.111(f), only that portion, if any, received as a grant and the assistance unit's portion of the food stamp allotment shall be used in this calculation.
- .94 Participants whose assistance units do not include food stamp recipients shall participate in unpaid community service activities for the number of hours each month that is the lesser of the two following equations:

| 42-711 | WELFARE-TO-WORK PARTICIPATION REQUIREMENTS<br>(Continued) | 42-711 |
|--------|---|--------|
|--------|---|--------|

- .941 The number of hours required by Section 42-711.4, less the number of hours spent in unsubsidized employment, grant-based OJT community service, WtW Grant program paid community service, and/or WtW Grant program paid work experience; or,
- .942 The number of hours, determined collectively for the assistance unit, equal to the grant received by the CalWORKs assistance unit divided by the higher of the state or federal minimum wage. If all or a portion of the CalWORKs assistance unit's grant has been diverted to an employer pursuant to Section 42-701.2(g)(2) and Section 42-716.111(f), only that portion, if any, received as a grant shall be used in this calculation.
- .95 The monthly amount in Sections 42-711.93 and .94 shall be considered to have been met by participation in an average weekly number of hours determined by dividing the monthly amount by 4.33 (average number of weeks per month).
- .96 Participants whose hours of participation in unpaid community service activities are determined pursuant to Section 42-711.932 or .942 and do not meet the participation requirement specified in Section 42-711.4 shall participate in other welfare-to-work activities for the additional number of hours necessary to satisfy the participation requirement.
- .97 Any individual required to participate in a community service activity who fails to comply with program requirements without good cause shall be sanctioned in accordance with Section 42-721.4.
- .98 See Section 42-710.31 for circumstances under which the CWD may require the individual to participate in welfare-to-work activities other than community service.

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: Sections 11203, 11253.5(b), 11320.1, 11320.15, 11320.3, 11322.6, 11322.8, 11322.9, 11324.8(a) and (b), 11325.2, 11325.21, 11325.22, 11325.23(a), (b), (c), (e), and (f), 11325.25, 11325.4, 11325.5, 11325.6, 11325.7, 11325.8, 11326, 11327.4 and .5, 11454(a), 15204.2 and .8, and 16501.1(d) and (f), Welfare and Institutions Code; 42 U.S.C. 607(c)(1)(A), (c)(1)(B)(ii), and (c)(2)(A)(i); 7 U.S.C. 2029(a)(1); 7 U.S.C. 2035; U.S. Department of Labor guidance on FLSA, with attached U.S.D.A., Food and Nutrition Service (FNS) guidance on an SFSP, dated May 22, 1997; and Simplified Food Stamp Program approval letters from FNS to implement the provisions of an SFSP, dated May 5, 2000 and August 3, 2000.



|               |  |               |
|---------------|--|---------------|
| <b>42-720</b> | <b>NONDISPLACEMENT PROTECTION IN WORK ACTIVITIES</b> | <b>42-720</b> |
|---------------|--|---------------|

(Continued)

.6 Union Grievance

- .61 Any grievance procedure that is part of a collective bargaining agreement between the employer and labor union representing the dissatisfied employee shall be used in lieu of the process described in Section 42-720.42.

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: Sections 11324.5, 11324.6, and 11324.7, Welfare and Institutions Code.

|               |  |               |
|---------------|--|---------------|
| <b>42-721</b> | <b>NONCOMPLIANCE WITH PROGRAM REQUIREMENTS</b> | <b>42-721</b> |
|---------------|--|---------------|

.1 The provisions of Sections 42-721.2, .3, and .4 shall not apply to:

- .11 Teen parents who are subject to the Cal-Learn Program as described in Sections 42-762 through 42-769.
- .12 Any person who is not required, but who volunteers, to participate in the Welfare-to-Work Program and who fails to appear for a scheduled appointment prior to entering into the welfare-to-work plan.
- .13 A reunification parent as defined in Section 80-301(r)(3) whose welfare-to-work activities and services are only included in a reunification plan.
- .131 A noncompliant individual shall remain eligible for CalWORKs activities and services until the expiration or termination of a voluntary placement agreement or the court terminates the reunification plan.

.2 Compliance Process

- .21 An individual who is required to participate in program activities as a condition of receipt of aid shall be subject to sanctions specified in Section 42-721.4, whenever:
- .211 He or she fails or refuses without good cause to comply with program requirements; and
- .212 He or she subsequently fails or refuses without good cause to:
- (a) agree to a compliance plan; or
- (b) comply with a compliance plan agreed to by the CWD and the participant.

|        |   |        |
|--------|---|--------|
| 42-721 | <b>NONCOMPLIANCE WITH PROGRAM REQUIREMENTS</b><br>(Continued) | 42-721 |
|--------|---|--------|

- .22 Failing or refusing to comply with program requirements means failing or refusing to:
  - .221 sign a welfare-to-work plan; participate in any assigned program activity, including a self-initiated program; provide required proof of satisfactory progress in any assigned program activity, including a self-initiated program; or accept employment;
  - .222 continue employment; or
  - .223 continue employment at the same level of earnings.
- .23 Upon determination that an individual has failed or refused to comply with program requirements, the CWD shall send the individual a notice of action effective no earlier than 30 calendar days from the date of issuance.
  - .231 The notice of action shall inform the individual that a sanction will be imposed if the individual fails to either attend an appointment scheduled by the CWD within 20 calendar days of the notice or contact the CWD by telephone within 20 calendar days of the notice, and fails to do one of the following:
    - (a) Provide information to the CWD that leads to a finding of good cause for refusing or failing to comply with program requirements, or
    - (b) Agree to a compliance plan to correct the failure or refusal to comply.
  - .232 The written notice of action shall contain the following additional information:
    - (a) The date, time, and location of the scheduled appointment.
    - (b) A description of the specific act or acts that have caused the individual to be out of compliance with participation requirements.
    - (c) A statement that the individual has the right to explain why he or she failed or refused to comply with program requirements and to demonstrate that he or she had good cause for his or her refusal or failure to comply.
    - (d) A general definition of good cause and examples of reasons that constitute good cause for not participating in the program.

|               |  |               |
|---------------|--|---------------|
| <b>42-721</b> | <b>NONCOMPLIANCE WITH PROGRAM REQUIREMENTS</b> | <b>42-721</b> |
|---------------|--|---------------|

(Continued)

- .313 The employment, offer of employment, activity, or other training for employment is remote from the individual's home because either:
- (a) The round-trip travel time required exceeds a total of two hours, exclusive of the time necessary to transport family members to a school or place providing care, or
  - (b) Walking is the only available means of transportation and the round-trip is more than two miles, exclusive of the mileage necessary to accompany family members to a school or a place providing care.
- An individual who fails or refuses to comply with the program requirements based on the remoteness of the employment, offer of employment, activity, or other training for employment shall be required to participate in community service activities in accordance with Section 42-716.4.
- .314 The employment, offer of employment, activity, or other training for employment involves conditions that are in violation of applicable health and safety standards.
- .315 The employment, offer of employment, or work activity does not provide for worker's compensation insurance.
- .316 Accepting the employment or work activity would cause an interruption to an approved education or job training program in progress. For purposes of this section, an education or job training program includes all welfare-to-work activities described in Section 42-716, except work experience or community service assignment.
- (a) The approved education or job training program in progress must lead to employment and sufficient income to be self-supporting.
  - (b) If the hours of participation in the approved education or job training program in progress are less than the hours required as a condition of eligibility for aid, the CWD may require the individual to engage in welfare-to-work activities to the extent necessary to meet the required hours of participation.
- .317 Accepting the employment, offer of employment, or work activity would cause the individual to violate the terms of his or her union membership.

|               |  |               |
|---------------|--|---------------|
| <b>42-721</b> | <b>NONCOMPLIANCE WITH PROGRAM REQUIREMENTS</b> | <b>42-721</b> |
|---------------|--|---------------|

(Continued)

- .32 In determining whether good cause exists for a refusal or failure to comply with program requirements, the CWD shall take into consideration whether the participant has a mental disability that caused or substantially contributed to the refusal or failure to comply with program requirements. This determination shall be made, where appropriate, in consultation with the county mental health department.
- .33 An individual shall have good cause for not participating in welfare-to-work activities if he or she meets the criteria described in Section 42-713.

.4 Sanctions

- .41 Financial sanctions shall be applied when a non-exempt welfare-to-work participant has failed or refused to comply with program requirements without good cause and compliance efforts have failed.
- .411 Any month in which an individual is under sanction and removed from the assistance unit shall not be counted as a month of receipt of aid in determining the 60-month time limit in accordance with Section 42-302.115.
- .412 Any month in which an individual is under sanction and removed from the assistance unit shall not be counted in determining the 18- and 24-month time limits in accordance with Section 42-710.63.
- .413 The period of time a sanctioned individual is considered a reunification parent under Section 82-812.68 shall count toward meeting the sanction periods specified in Section 42-721.43.
- .42 The sanctions shall not apply to an individual who is exempt from the welfare-to-work requirements and is voluntarily participating in the Welfare-to-Work Program. If an exempt volunteer engages in conduct that would bring about the sanction procedures described below but for his or her status as a volunteer, the individual shall not be given priority over other participants actively seeking to participate.
- .43 Financial sanctions for failing or refusing to comply with program requirements without good cause shall result in a reduction in the family's grant by removing the noncomplying family member from the assistance unit for a period of time that increases in the following manner:
- .431 The first instance of noncompliance without good cause shall result in a financial sanction until the noncomplying participant performs the activity(ies) he or she previously refused to perform.

|               |  |               |
|---------------|--|---------------|
| <b>42-721</b> | <b>NONCOMPLIANCE WITH PROGRAM REQUIREMENTS</b> | <b>42-721</b> |
|---------------|--|---------------|

(Continued)

.511 State Hearing

- (a) The CWD shall inform the individual of his/her right to file an appeal through the state hearing process as an alternative to the formal grievance procedures.
- (b) Procedures for a state hearing are specified in MPP Division 22.
- (c) With the exception of welfare-to-work supportive services (see Section 42-750.213), aid will continue if the individual appeals through the state hearing process within the period of timely notification (see Section 42-721.441).
- (d) If a welfare-to-work participant or other affected party is dissatisfied with a state hearing decision involving on-the-job working conditions or workers' compensation coverage, the party may appeal the decision to the appropriate state regulating agency.
  - (1) A copy of the written decision shall be issued to all affected parties and shall identify the right to appeal. The decision shall also provide the address and instructions for filing an appeal.
    - (A) The instructions shall include the requirement that the appeal be filed within 20 calendar days following receipt of the written decision.
- (e) The participant shall be permitted to request a state hearing to appeal the outcome of a formal grievance.

.512 Formal Grievance Procedures

- (a) The procedures for a formal grievance established by the county board of supervisors and the duration of these procedures shall be specified in the county plan.
- (b) The sole issue for resolution through a formal grievance shall be whether a program requirement or assignment is in violation of the welfare-to-work plan or inconsistent with Chapter 42-700.

|               |  |               |
|---------------|--|---------------|
| <b>42-721</b> | <b>NONCOMPLIANCE WITH PROGRAM REQUIREMENTS</b> | <b>42-721</b> |
|---------------|--|---------------|

(Continued)

- (c) The participant shall not be permitted to use the formal grievance to appeal the outcome of a state hearing or the results of an assessment made according to Section 42-711.55.
- (d) The formal grievance shall not be available to a noncomplying individual who has already failed to successfully conciliate in accordance with Section 42-721.2. Under those circumstances, the applicant or recipient may request a state hearing to appeal a program requirement or assignment.
- (e) The individual shall be subject to sanction pending the outcome of the formal grievance or any subsequent appeal only if he/she fails to participate during the period the grievance procedure is being processed.
  - (1) This information shall be provided to an individual when he or she requests information about the procedure for filing a formal grievance.

.513 The CWD shall address any complaints of discrimination based on race, color, national origin, religion, political affiliation, marital status, sex, age, or handicap which may arise through an applicant's/recipient's participation in Welfare-to-Work in accordance with the provisions of MPP Division 21 - Nondiscrimination in State and Federally Assisted Programs.

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code. Reference: Sections 11203, 11320, 11320.31, 11324.8(d), 11327.4, 11327.5(a) through (e), 11327.6, 11327.8, 11327.9, 11328.2, 11333.7, 11454, and 16501.1(d), (e), (f), and (g), Welfare and Institutions Code.

|               |  |               |
|---------------|--|---------------|
| <b>42-730</b> | <b>GAIN JOB SEARCH, TRAINING, AND EDUCATION SERVICES</b> | <b>42-730</b> |
|---------------|--|---------------|

Repealed by Manual Letter No. EAS-98-03, effective 7/1/98.

|               |  |               |
|---------------|--|---------------|
| <b>42-731</b> | <b>EMPLOYEE DISPLACEMENT GRIEVANCE PROCESS</b> | <b>42-731</b> |
|---------------|--|---------------|

Renumbered to Sections 42-720.4, .5, .6, and .7 by Manual Letter No. EAS-98-03, effective 7/1/98.

|               |  |               |
|---------------|--|---------------|
| <b>44-313</b> | <b>BUDGETING METHODS FOR AFDC-FG/U (Continued)</b> | <b>44-313</b> |
|---------------|--|---------------|

- .42 The income received during the budget month by an individual deleted from an assistance unit shall not be considered income to the assistance unit for retrospective budgeting in any payment month following his or her discontinuance except in the following circumstance:
- .421 When the person remains in the home following discontinuance and has income which is considered available to the assistance unit under Section 44-133, retrospective budgeting shall continue.

---

**HANDBOOK BEGINS HERE**

---

Example 1:

A child with income moves from the home in July. The child's needs are not considered for eligibility in August. Therefore, his/her June income is not considered when computing the grant paid in August.

EXAMPLE 2:

Situation: The assistance unit is in retrospective budgeting, and in January and prior months consisted of stepfather, mother and her separate child. Stepfather begins working full time and is removed from the assistance unit as of February 1. The stepfather remains in the home, and his income is deemed to the assistance unit according to 44-133.6 in February and subsequent months.

Budgeting: Retrospectively budget all the net nonexempt income received in November by the three-person assistance unit to the January payment month. Retrospectively budget all the net nonexempt income received in December by the three-person assistance unit to the February payment month. Retrospectively budget all of the net nonexempt income received in January by the three-person assistance unit to the March payment month. Retrospectively budget the net nonexempt income received in February by the two-person assistance unit, including the income deemed from the stepparent in February, to the April payment month. Note: This budgeting method is used even when the stepparent's income is not actually considered available to the family because the stepparent's needs and other deductions allowed under 44-133.6 are greater than the income.

---

**HANDBOOK ENDS HERE**

---

- .5 Budgeting in Approved Alternate Payment Systems
- .51 Apply the requirements of 44-313 to approved alternate payment systems (see Section 44-305.3). Substitute references to "month" with phrase "28- to 31-day period not limited to a calendar month."

|        |   |        |
|--------|---|--------|
| 44-313 | BUDGETING METHODS FOR AFDC-FG/U (Continued) | 44-313 |
|--------|---|--------|

- |     |  |
|-----|--|
| .6  | Budgeting for Refugee or Cuban/Haitian Entrant Cases Transferred from Refugee or Cuban/Haitian Entrant Cash Assistance to AFDC-FG AND AFDC-U   |
| .61 | The budget period for the month of transfer from the Refugee Resettlement or Cuban/Haitian Entrant Programs to AFDC-FG or AFDC-U shall be the second prior calendar month (retrospective budgeting) unless the family did not receive refugee or Cuban/Haitian entrant cash assistance in the second prior calendar month. |
| .62 | If the family did not receive cash assistance in the second prior calendar month, but did in the prior calendar month, the budget period for the month of transfer shall be the concurrent month. The budget period for the following month shall be the corresponding second prior calendar month.                        |

|        |                            |        |
|--------|----------------------------|--------|
| 44-314 | MAXIMUM FAMILY GRANT (MFG) | 44-314 |
|--------|----------------------------|--------|

- |     |              |  |
|-----|--------------|--|
| .1  | Definitions  | The following definitions pertain only to Section 44-314.  |
| .11 | Break-in-Aid | For MFG purposes the following conditions will be considered a month in which the assistance unit (AU) did not receive cash aid: |
|     |              | Months in suspense as defined in Section 44-315.8.   |
|     |              | A month in which the AU is eligible for a zero basic grant (ZBG) as defined in Section 44-315.9; or                              |
|     |              | A month in which the reunification family does not receive a cash aid payment pursuant to Section 82-812.683.                    |



|        |  |        |
|--------|--|--------|
| 44-314 | MAXIMUM FAMILY GRANT (MFG) (Continued) | 44-314 |
|--------|--|--------|

|  |     |                            |   |
|--|-----|----------------------------|---|
|  | .12 | Law Enforcement Agency     | Law enforcement agency includes federal, state, and local law enforcement agencies.   |
|  | .13 | Mental Health Professional | Mental health professional means a person who is licensed by the State of California to provide counseling services.  |
|  | .14 | MFG Child                  | MFG child means the child, or children in the case of a multiple birth, that is not included in the AU size for the purpose of determining the MAP.   |
|  | .15 | Received Aid               | Received aid means received cash aid for himself/herself or on behalf of his/her eligible child(ren). This includes:  |
|  |     | .151                       | A sanctioned parent who has a protective payee.   |
|  |     | .152                       | A minor that receives aid as a child and who subsequently becomes a minor parent.   |
|  | .2  | MFG                        | When a child is born into an AU that has received aid for at least ten months immediately prior to the birth, the child shall not be included in the AU size for the purpose of determining the MAP. For MFG purposes, will be considered as a month in which the AU did not receive aid. |
|  | .3  | MFG Application            | The MFG applies when:   |
|  | .31 | Notice                     | The AU has received written notice of the MFG at least ten months prior to the birth of the child, and  |
|  | .32 | No Break in Aid            | The AU has not had a break in aid of at least two consecutive months during the ten months immediately prior to the month of birth of the child.  |
|  | .4  | Continue MFG               | The MFG continues to apply until the AU has not received aid for at least 24 consecutive months.  |
|  | .5  | MFG Exemptions             | MFG shall not apply when:   |

| 44-314 (Cont.) | STANDARDS OF ASSISTANCE<br>AID PAYMENTS | Regulations  |
|----------------|---|--|
| 44-314         | MAXIMUM FAMILY GRANT (MFG) (Continued)  | 44-314   |
| .51            | Rape                                    | The child was conceived as a result of an act of rape, as defined in Sections 261 and 262 of the Penal Code, and   |
| .511           |   | The rape has been reported to a law enforcement agency, medical or mental health professional or an organization that provides counseling to victims of rape prior to, or within three months after, the birth of the child.     |
|                | (a)                                     | The recipient shall provide written verification from one of the entities listed above, that the incident of rape was reported and the date that the report was made.  |
| .52            | Incest                                  | The child was conceived as a result of incest, as defined in Section 285 of the Penal Code, and  |
| .521           |   | Paternity has been established, or   |
| .522           |   | The incest has been reported to a law enforcement agency, medical or mental health professional or an organization that provides counseling to victims of incest prior to, or within three months after, the birth of the child. |
|                | (a)                                     | The recipient shall provide written verification from one of the entities listed above that the incident of incest was reported and the date the report was made.  |
| .53            | Contraceptive Failure                   | It is medically verified that the child was conceived as a result of the failure of:   |
| .531           |   | An intrauterine device, or   |
| .532           |   | Norplant, or   |
| .533           |   | The sterilization of either parent.  |

| Regulations   | STANDARDS OF ASSISTANCE<br>AID PAYMENTS       | 44-314  |
|---------------|---|---|
| <b>44-314</b> | <b>MAXIMUM FAMILY GRANT (MFG) (Continued)</b> | <b>44-314</b>   |
| .54           | Unaided Caretaker Relative                    | The child was conceived while either parent was an unaided nonparent caretaker relative.  |
| .55           | Not Living With Parent                        | The child is not living with either parent.   |
| .56           | Teen Parent/Former Teen Parent                | A teen parent/former teen parent, who has met the age requirements in Section 42-101 at the time the child was born, establishes his/her own AU. When this occurs, the MFG rule shall not apply to:   |
| .561          |   | Any existing child of the teen parent/former teen parent, or  |
| .562          |   | Any new child born to the teen parent/former teen parent during the first ten months after establishing his/her own AU.   |
| .6            | MFG Child Eligibility                         | The MFG child is eligible for and a recipient of aid including special needs.   |
| .61           | MBSAC   | The MFG child is included in the AU size for the MBSAC.   |
| .62           | Child Support                                 | Any child support payments for the MFG child shall be given to the AU and exempt from consideration as income. For treatment as a resource, see MPP Section 42-211.2.   |
| .621          |   | Benefits from the Social Security Administration or other government programs that are based on an absent parent's disability or retirement and paid to, or on behalf of, the MFG child shall be considered child support for MFG purposes. |

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11203, 11450.04(a), (b)(1), (2) and (3), (d)(1), (2) and (3), and (e), Welfare and Institutions Code; Sections 261, 262, and 285, Penal Code; Nickols v. Saenz, Case Number 310867, August 25, 2000; and Kehrer v. Saenz, Case Number 99CS02320, January 22, 2001.

**This page is intentionally left blank.**



|               |                                |               |
|---------------|--------------------------------|---------------|
| <b>80-301</b> | <b>DEFINITIONS (Continued)</b> | <b>80-301</b> |
|---------------|--------------------------------|---------------|

- |    |   |
|----|---|
| 1. | the person meets all conditions of eligibility, and                           |
| 2. | the county signs authorization documents to approve the application for AFDC. |

---

**HANDBOOK BEGINS HERE**

---

- |     |   |
|-----|---|
| (B) | An applicant who has been approved for an immediate need and/or homeless assistance payment based on his/her apparent eligibility is not considered to be a recipient, as specified in Section 40-129. In these cases, the county has not signed authorization documents to approve the AFDC application. |
|-----|---|

---

**HANDBOOK ENDS HERE**

---

- |                           |   |
|---------------------------|---|
| (2) Recover               | "Recover" means to grant adjust or collect an overpayment.  |
| (3) Reunification Parents | "Reunification Parents" means those parents who are eligible to continue to receive CalWORKs services on the basis that their child/children are considered temporarily absent when all of the following conditions are met: the child has been removed and placed in out-of-home care by the county child welfare services agency; when the child was removed, the family was receiving CalWORKs assistance; and the county child welfare services agency has determined that provision of CalWORKs services is necessary for reunification. |
| (4) Reunification Cases   | "Reunification Cases" means those CalWORKs cases in which the children have been removed and placed in out-of-home care by the county child welfare services agency and considered temporarily absent from the AU while their parents are receiving reunification services.   |

**80-301      DEFINITIONS (Continued)****80-301**

|     |                    |  |
|-----|--------------------|--|
| (5) | Reunification Plan | “Reunification Plan” means the case plan that is developed by the county child welfare services agency for the provisions of services to the reunification parent, as defined in Section 80-301(r)(3), and given effect through order of the court or pursuant to a voluntary placement agreement executed in accordance with Child Welfare Services regulations in MPP Sections 31-082, 31-084, 31-088, 31-215, 31-225, 31-325, and 31-340. |
|-----|--------------------|--|

|     |                        |  |
|-----|------------------------|--|
| (6) | Reunification Services | “Reunification Services” means those CalWORKs services that the county child welfare services agency determines to be necessary for a reunification parent to reunite with his/her child/children and are specified in the reunification plan. |
|-----|------------------------|--|

|    |     |          |   |
|----|-----|----------|---|
| s. | (1) | Sanction | "Sanction" means action taken by the county resulting in ineligibility resulting from an action or lack of action by a recipient. |
|----|-----|----------|---|

|     |               |   |
|-----|---------------|---|
| (2) | Second Parent | "Second Parent" means the parent living in the home who is not the caretaker relative parent. |
|-----|---------------|---|

|     |               |  |
|-----|---------------|--|
| (3) | Senior Parent | "Senior Parent" means the parent of a minor parent when the minor parent receives aid for his/her child or the parent of a minor pregnant woman. |
|-----|---------------|--|

|     |         |  |
|-----|---------|--|
| (4) | Sibling | "Sibling" means the brother or sister who has both parents in common with the applicant child. This includes siblings by adoption. |
|-----|---------|--|

|     |                      |   |
|-----|----------------------|---|
| (5) | Sponsored Noncitizen | "Sponsored noncitizen" means a noncitizen whose entry into the United States was sponsored by a person who executed an I-864 Affidavit of Support or similar agreement on behalf of a noncitizen as a condition of the noncitizen's entry into the United States. |
|-----|----------------------|---|

|               |                                |               |
|---------------|--------------------------------|---------------|
| <b>80-301</b> | <b>DEFINITIONS (Continued)</b> | <b>80-301</b> |
|---------------|--------------------------------|---------------|

- |      |   |   |
|------|---|---|
| (6)  | California Department of Social Services (CDSS) | "CDSS" means the state department which supervises the counties in the administration of the AFDC program. Also referred to as Department.  |
| (7)  | Statement of Facts                              | "Statement of Facts" means the CA 8 (Rev. 2/84) CA 8A (Rev. 10/89), CA 20 (Rev. 4/88), CA 22 (Rev. 10/85); CA 23 (Rev. 1/85), CA 24 (Rev. 1/85), JA2 (Rev. 4/90) or SAWS 2 (Rev. Pending) are the state required forms used to collect the information necessary to determine a family's eligibility. See Section 80-310 for title and definition of forms. |
| (6)  | California Department of Social Services (CDSS) | "CDSS" means the state department which supervises the counties in the administration of the AFDC program. Also referred to as Department.  |
| (7)  | Statement of Facts                              | "Statement of Facts" means the CA 8 (Rev. 2/84) CA 8A (Rev. 10/89), CA 20 (Rev. 4/88), CA 22 (Rev. 10/85); CA 23 (Rev. 1/85), CA 24 (Rev. 1/85), JA2 (Rev. 4/90) or SAWS 2 (Rev. Pending) are the state required forms used to collect the information necessary to determine a family's eligibility. See Section 80-310 for title and definition of forms. |
| (8)  | Statewide Fingerprint Imaging System (SFIS)     | "Statewide Fingerprint Imaging System (SFIS)" means an automated system that captures fingerprint and photo images and stores them in a statewide database.   |
| (9)  | Stepparent                                      | "Stepparent" means the person who is not the biological parent and is married to the parent of the child.   |
| (10) | Strike  | "Strike" means a concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective bargaining agreement) and any concerted slowdown or other concerted interruption of operations by employees.   |



|               |                                |               |
|---------------|--------------------------------|---------------|
| <b>80-301</b> | <b>DEFINITIONS (Continued)</b> | <b>80-301</b> |
|---------------|--------------------------------|---------------|

- |   |  |
|---|--|
| (11) Striker  | "Striker" means an applicant or recipient who is participating in a strike on the last day of the month.   |
| (12) Supplemental Security<br>Income/State<br>Supplementary Program | "SSI/SSP child" means a child who would be eligible for AFDC except that he/she is receiving SSI/SSP. SSI/SSP is the federal/state assistance program for persons who are aged, disabled or blind as authorized by Title XVI of the Social Security Act. |
| t. (Reserved)   |  |
| u. (Reserved)   |  |
| v. (Reserved)   |  |
| w. (Reserved)   |  |
| x. (Reserved)   |  |
| y. (Reserved)   |  |
| z. (Reserved)   |  |

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code.

| TERM  | PREVIOUS CITE | REFERENCE   |
|---|---------------|---|
| Aid to Families With Dependent Children (AFDC)                  | 40-103.84     | 45 CFR 201.3 and Sections 10553 and 10554, Welfare and Institutions Code. |
| Aid to Families With Dependent Children - Foster Care (AFDC-FC) | 40-103.843    | Sections 10553, 10554, and 11400(a), Welfare and Institutions Code.       |

|        |                         |        |
|--------|-------------------------|--------|
| 80-301 | DEFINITIONS (Continued) | 80-301 |
|--------|-------------------------|--------|

| TERM   | PREVIOUS CITE | REFERENCE   |
|--|---------------|---|
| Aid to Families With Dependent Children - Family Group (AFDC-FG)   | 40-103.841    | Section 11250, Welfare and Institutions Code.   |
| Aid to Families With Dependent Children-Unemployed Parent (AFDC-U) | 40-103.842    | Section 11201, Welfare and Institutions Code.   |
| Aid Payment  | N/A           |   |
| Alternatively Sentenced Parent (ASP)                               | N/A           | 45 CFR 233.90(c)(1)(iii).   |
| Applicant  | 40-103.5      | 45 CFR 206.10 and Sections 11023.5 and 11051 Welfare and Institutions Code.               |
| Applicant Child  | N/A           | 45 CFR 206.10 and Sections 10553 and 10554, Welfare and Institutions Code.                |
| Assistance Unit  | N/A           | 45 CFR 233.90, 42 USCA(a)(38), and SSA-AT-86-01.  |
| Beginning Date of Aid  | N/A           | Section 11266, Welfare and Institutions Code.   |
| Caretaker Relative   | N/A           | 42 USCA 606(a), 45 CFR 233.90(c)(1)(v), and Section 11203, Welfare and Institutions Code. |
| Child  | N/A           | 45 CFR 233.90(c)(1)(i).   |

|               |                                |               |
|---------------|--------------------------------|---------------|
| <b>80-301</b> | <b>DEFINITIONS (Continued)</b> | <b>80-301</b> |
|---------------|--------------------------------|---------------|

| TERM                                | PREVIOUS CITE | REFERENCE   |
|-------------------------------------|---------------|---|
| Collect                             | N/A           |   |
| County                              | 40-103.7      | Section 10058, Welfare and Institutions Code.   |
| Date of Application                 | N/A           | 45 CFR 206.10(b)(3).  |
| Eligible Child                      | 44-203.11     | 45 CFR 233.90(c)(1)(i) and Section 11203, Welfare and Institutions Code.                |
| Essential Person (EP)               | N/A           | 45 CFR 233.20(a)(2)(vi) and 45 CFR 237.50(c).   |
| Filing Unit                         | N/A           | 45 CFR 206.10(a)(1)(vii).   |
| GAIN                                | N/A           | 45 CFR 255 and Section 11320, Welfare and Institutions Code.                            |
| GED                                 | N/A           | Sections 10553 and 10554, Welfare and Institutions Code.                                |
| Grant Adjust                        | N/A           |   |
| Half-Sibling                        | N/A           | 45 CFR 206.10(a)(1)(vii) and 45 CFR 233.90(c)(1)(v).                                    |
| Immediate Need Payment              | N/A           | Section 11266, Welfare and Institutions Code.   |
| Intentional Program Violation (IPV) | N/A           | Sections 10063 and 11486, Welfare and Institutions Code.                                |
| Mandatory Inclusion                 | N/A           | 45 CFR 226.10(a)(1)(viii), and Sections 10553 and 10554, Welfare and Institutions Code. |

|        |                         |        |
|--------|-------------------------|--------|
| 80-301 | DEFINITIONS (Continued) | 80-301 |
|--------|-------------------------|--------|

| TERM                              | PREVIOUS CITE          | REFERENCE  |
|-----------------------------------|------------------------|--|
| Medical Verification of Pregnancy | 44-205.642             | 45 CFR 233.90(c)(2)(iv) and Sections 10553 and 11450, Welfare and Institutions Code.               |
| Minor Parent                      | 43-103.2<br>44-133.711 | 45 CFR 233.20(a)(3)(xviii) and Section 11008.14, Welfare and Institutions Code.                    |
| Optional Persons                  | N/A                    | 45 CFR 233.20(a)(2)(vi) and 45 CFR 237.50(c).  |
| Otherwise Eligible                | N/A                    | Sections 10553, 10554, and 10604, Welfare and Institutions Code.                                   |
| Parent                            | 41-403.1               | 45 CFR 237.50(b)(3)(ii) and Section 11203, Welfare and Institutions Code.                          |
| Pregnant Woman                    | 44-205.6               | 45 CFR 233.90(c)(2)(iv) and Section 11008.14, Welfare and Institutions Code.                       |
| Public Hospital                   | 42-503.51              | 45 CFR 233.60(b)(3) and (5) and Section 11269, Welfare and Institutions Code.                      |
| Recipient                         | 40-189.11              | 45 CFR 233.10(a)(1) and Section 11450, Welfare and Institutions Code.                              |
| Recover                           | N/A                    |  |
| Reunification Cases               | N/A                    | 45 CFR 233.20 and Sections 10553, 10554, and 11203, Welfare and Institutions Code.                 |
| Reunification Parents             | N/A                    | 45 CFR 233.20 and Sections 10553, 10554, and 11203, Welfare and Institutions Code.                 |
| Reunification Plan                | N/A                    | 45 CFR 233.20 and Sections 10553, 10554, 11203, 16501.1, and 16507, Welfare and Institutions Code. |
| Reunification Services            | N/A                    | 45 CFR 233.20 and Sections 10553, 10554 and 11203, Welfare and Institutions Code.                  |

|               |                                |               |
|---------------|--------------------------------|---------------|
| <b>80-301</b> | <b>DEFINITIONS (Continued)</b> | <b>80-301</b> |
|---------------|--------------------------------|---------------|

| TERM  | PREVIOUS CITE | REFERENCE   |
|---|---------------|---|
| Sanction                                    | N/A           | 45 CFR 224.51 and 45 CFR 232.12(d)(1).  |
| Second Parent                               | N/A           | Sections 10553 and 10554, Welfare and Institutions Code.  |
| Senior Parent                               | N/A           | 45 CFR 233.20 and Sections 10553 and 10554, Welfare and Institutions Code.  |
| Sibling                                     | N/A           | Sections 10553 and 10554, Welfare and Institutions Code.  |
| Sponsored Noncitizen                        | 43-119.1      | 8 CFR 213a. and 299, 45 CFR 233.20(a)(3)(xv) and 45 CFR 233.51 and Section 11008.13, Welfare and Institutions Code. |
| State Department of Social Services (SDSS)  | N/A           | Section 10054, Welfare and Institutions Code.   |
| Statewide Fingerprint Imaging System (SFIS) | N/A           | 42 USC 402(a)(6) and Section 10830, Welfare and Institutions Code.  |
| Statement of Facts                          | N/A           | Sections 10553, 10554, and 11054, Welfare and Institutions Code.  |
| Stepparent                                  | 43-103.3      | 45 CFR 233.20(a)(3)(xiv) and Section 11008.14, Welfare and Institutions Code.                                       |
| Strike                                      | 41-701.21     | 45 CFR 233.106 and Section 11250.4, Welfare and Institutions Code.  |
| Striker                                     | 41-701.23     | 45 CFR 233.106 and Section 11250.4, Welfare and Institutions Code.  |
| SSI/SSP Child                               | N/A           | 45 CFR 233.90.  |

**80-310      DEFINITIONS - FORMS****80-310**

The following forms apply to the regulations in Divisions 40 through 50 and 80 through 89.

a.    (Reserved)

b.    (Reserved)

c.    (1)    CA 2.1 NA

The "Child/Spousal and Medical Support Notice and Agreement" (Rev. 12/89) is used to inform the applicant of his/her responsibility to participate in the support enforcement process and of his/her right to claim exemption from participation.

(2)    CA 2.1 (Q)

The "Support Questionnaire" (Rev. 2/91) is used to collect information about the absent parent.

(3)    CA 8

The "Statement of Facts for Additional Persons" (Rev. 2/84) is used to collect the information necessary to determine eligibility when adding a person.

(4)    CA 8A

The "Statement of Facts to Add a Child Under 16 Years" (Rev. 10/89) is used to collect the information necessary to determine eligibility when adding a child.

(5)    CA 13

The "Caretaker Relative Agreement" (Rev. 10/86) is used to designate the caretaker relative as agreed by two persons who live in separate homes when both could qualify as the caretaker relative of a child.

(6)    CA 20

The "Statement of Facts Supporting Eligibility for Assistance -Redetermination" (Rev. 8/90) is used to collect the information necessary to determine eligibility at the time of the annual redetermination.

|        |                               |        |
|--------|-------------------------------|--------|
| 82-812 | TEMPORARY ABSENCE (Continued) | 82-812 |
|--------|-------------------------------|--------|

- |      |   |   |
|------|---|---|
| .631 |   | For the purpose of this section, hospitalization includes a stay in a medical hospital, psychiatric care facility, or drug and/or alcohol rehabilitation treatment facility.  |
| .64  | Employment  | A person absent from the home due to employment may be considered temporarily absent for the duration of the employment/job activity.   |
| .65  | Attending Educational or Vocational Training School | A person absent from the home due to attendance at an institution of high learning, an educational school leading to a high school diploma or equivalent, or a vocational school leading to employment, may be considered temporarily absent for the duration of the schooling or training when there is no educational or vocational school within the vicinity of the person's home that provides the education or vocational training. |
| .66  | Child with Special Needs                            | A child who attends a school which meets the special needs of the child shall be considered temporarily absent for the duration of the schooling when:  |
| .661 |   | The child has a current Individualized Education Plan (IEP); and no school that meets the child's needs, as described in the IEP, is located close enough to the child's home that the child can continue to live at home while attending school.   |
| .67  | Child in a Group Home                               | A child who is in a licensed group home due to a crisis situation (i.e., hospitalization or incapacity of the parent, parents receiving respite services to maintain family stability, etc.) shall be considered temporarily absent for the duration of the crisis when:  |
| .671 |   | The licensed group home does not receive AFDC-FC for the child, and the caretaker relative continues to have care and control concerning any major health and welfare decisions.  |

**82-812      TEMPORARY ABSENCE (Continued)****82-812**

- |      |  |
|------|--|
| .68  | Children Receiving Out-of-Home Care  |
| .681 | A child(ren) may be considered to be temporarily absent for a period of up to 180-consecutive days and the parent or parents remaining in the home shall be eligible for CalWORKs services when all of the following conditions are met, and a reunification plan, as defined in Section 80-301(r) is in effect: |
| (a)  | The child(ren) has been removed from the parent(s) and placed in out-of-home care.   |
| (b)  | The AU was receiving CalWORKs assistance when the child(ren) was removed from the parent(s), and   |
| (c)  | The county child welfare services agency has determined that provision of CalWORKs services is necessary for family reunification.   |
| .682 | A biological or adoptive parent of a child who is temporarily absent and receiving out-of-home care, may continue to receive CalWORKs services. In order to receive these services, an otherwise eligible parent also must have a reunification plan as defined in Section 80-301(r)(5).                         |
| .683 | Reunification parents shall not receive a cash grant. If not all of the children in the family are removed from the home, and the parent remains eligible for a cash grant, the parent is not a reunification parent and the family is not a reunification family.   |

---

---

**HANDBOOK BEGINS HERE**

- |     |   |
|-----|---|
| (a) | Reunification parents, cases, plan, and services are defined in Section 80-301. |
|-----|---|

---

---

**HANDBOOK ENDS HERE**



|        |                               |        |
|--------|-------------------------------|--------|
| 82-812 | TEMPORARY ABSENCE (Continued) | 82-812 |
|--------|-------------------------------|--------|

- |      |  |
|------|--|
| .684 | Reunification parents are eligible for welfare-to-work services as described in Section 42-700 et seq.   |
| .685 | Reunification parents are eligible for supportive services pursuant to Section 42-750.   |
| .686 | Reunification parents are subject to the rules regarding supportive services underpayments and overpayments as set forth in Section 42-751.  |
| .687 | The following are eligibility and reporting requirements that will apply to the family reunification parent.   |
| (a)  | Monthly eligibility reporting requirements for reunification cases are set forth in Section 40-181.223.  |
| (b)  | The reunification case will be subject to an eligibility redetermination every six months pursuant to Section 40-181.1(e)(4).  |
| (c)  | An eligibility redetermination pursuant to Section 40-181.1(e)(5) will be conducted to restore cash aid to the CalWORKs case when an AU is reunified.  |
| (d)  | Pursuant to Section 42-711.61, the county may utilize the county child welfare services agency reunification plan as defined in Section 80-301(r)(5) as the required welfare-to-work (WTW) plan or amend the WTW plan and include all or part of the WTW activities in the reunification plan.                                     |
| (e)  | Pursuant to Section 42-711.512 and Section 42-721.413, reunification parents who are subject to a WTW sanction, including a second or third instance sanction, are not precluded from receiving CalWORKs reunification services. Participation in a family reunification plan will also count toward any required sanction period. |

|               |                                      |               |
|---------------|--------------------------------------|---------------|
| <b>82-812</b> | <b>TEMPORARY ABSENCE (Continued)</b> | <b>82-812</b> |
|---------------|--------------------------------------|---------------|

(f) For Maximum Family Grant purposes and pursuant to Section 44-314.22, a month in which children are temporarily absent from the home shall be considered a month in which the AU did not receive aid.

.688

The county child welfare services agency may grant a good cause extension to the 180-day temporary absence in the following situations:

(a) An extension is needed for the number of days between the date of the children's removal and the date the court orders a reunification plan.

(b) The county child welfare services agency determines that additional time is needed, beyond the 180 days, to complete the reunification plan. This extension can be in effect until termination of the family reunification plan.

---

**HANDBOOK BEGINS HERE**

---

(c) Example of Good Cause Extension of 180-day Family Reunification Plan

A family consists of a parent and two children. The children are removed by the county child welfare services agency on June 14, 2003. The parent has completed all of the requirements of the Family Reunification Plan by February 1, 2004. However, the social worker in the case recommends to the court, and the court agrees, that the parent needs an additional six months of services. A six-month extension is ordered by the court and the parent receives an extension of CalWORKs services which ends on July 31, 2004.

---

**HANDBOOK ENDS HERE**

---

|               |                                      |               |
|---------------|--------------------------------------|---------------|
| <b>82-812</b> | <b>TEMPORARY ABSENCE (Continued)</b> | <b>82-812</b> |
|---------------|--------------------------------------|---------------|

- |    |                                    |  |
|----|------------------------------------|--|
| .7 | Documentation of Temporary Absence | The county shall document the basis for the temporary absence. |
|----|------------------------------------|--|

[Previous cite: 44-203.22(a)(3), 42-500]

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11203, 11269, 11323, and 11454, Welfare and Institutions Code; and 42 USC 408(a)(10).

|               |                         |               |
|---------------|-------------------------|---------------|
| <b>82-820</b> | <b>INCLUDED PERSONS</b> | <b>82-820</b> |
|---------------|-------------------------|---------------|

- |     |                                   |   |
|-----|-----------------------------------|---|
| .1  | Assistance Unit                   | An AU shall be established when all eligibility factors have been determined.   |
| .2  | Minimum Requirements              | An AU shall have at least one of the following:   |
| .21 | Child                             | One eligible child.   |
| .22 | Caretaker Relative                | A caretaker relative of an SSI/SSP child, Kin-GAP child or of a child receiving federal, state or local foster care maintenance payments. For purposes of this section, local foster care maintenance payments are payments made with county-only funds for the board and care costs of children in 24-hour out-of-home care who have an open child welfare services case file. |
| .23 | Pregnant Woman                    | A pregnant woman.   |
| .24 | Relative of GAIN Sanctioned Child | A relative of a child who is sanctioned by GAIN.  |
| .3  | Mandatory Inclusion               | The AU shall include the following persons when living in the same home and eligible:   |
| .31 | Applicant Child                   | The applicant child.  |
| .32 | Siblings                          | Any eligible sibling or half-sibling of the applicant child who meets the age requirement.  |
| .33 | Parents                           | Any parent, except for alternatively sentenced parents, of:   |

**This page is intentionally left blank.**